Docket No.: 12780.315

#24 &
3/4/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Chin et al.**

Application No.:   **09/161,073**   Group No.:   **2176**

5   Filed: **09/25/1998**   Examiner: **BASHORE, William L.**

For: **INTERFACE FOR PROVIDING DIFFERENT-LANGUAGE VERSIONS OF MARK-UP-LANGUAGE RESOURCES**

Honorable Commissioner for Patents

10   Washington, D.C. 20231

Attn.:   Board of Patent Appeals and Interferences

APPELLANT'S BRIEF (37 C.F.R. 1.192)

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This brief is in furtherance of the Notice of Appeal, filed in this case herewith (on same date).

The fees required under § 1.17, and any required petition for extension of time for filing this brief and fees therefore, are dealt with in the accompanying Transmittal Of Appeal Brief.

20   This brief is transmitted in triplicate. (37 C.F.R. 1.192(a))

Certificate of Mailing (37 CFR 1.8(a))
I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231.

2/21/03
(date)

(Signature of   *PATRICIA BEILMANN*   )

This brief contains these items under the following headings, and in the order set forth below (37 C.F.R. 1.192(c)):

The final page of this brief bears the practitioner's signature.

I   REAL PARTY IN INTEREST (37 C.F.R. 1.192(c)(1))

The real party in interest in this appeal is International Business Machines Corporation, a New York corporation of New Orchard Road, Armonk, New York, which is assignee of the entire right, title and interest to the invention in the United States and in all foreign countries.

II   RELATED APPEALS AND INTERFERENCES (37 C.F.R. 1.192(c)(2))

With respect to other appeals or interferences that will directly affect, or be directly affected by, or have a bearing on the Board's decision in this appeal, there are no such appeals or interferences.

III   STATUS OF CLAIMS (37 C.F.R. 1.192(c)(3))

The status of the claims in this application are:

A.   TOTAL NUMBER OF CLAIMS IN THE APPLICATION

Claims in the application are: 1-24

B.   STATUS OF ALL OF THE CLAIMS

1.   Claims canceled: 1-2, 17 and 23-24
2.   Claims withdrawn from consideration but not cancelled: None
3.   Claims pending: 3-16 and 18-22
4.   Claims allowed: None
5.   Claims rejected: 3-16 and 18-22

C.   CLAIMS ON APPEAL

The claims on appeal are: 3-16 and 18-22

IV   STATUS OF AMENDMENTS (37 C.F.R. 1.192(c)(4))

An amendment filed subsequent to final rejection, on 12/20/2002, was denied entry in an advisory action dated 01/15/2003. Appellant has filed a petition herewith (on same date) requesting that the Examiner be required to enter this amendment. Section IX, APPENDIX OF CLAIMS: INCLUDING AMENDMENT PENDING PETITION, presents the claims with the amendment that was denied entry and Section X, APPENDIX OF CLAIMS 3, 11, AND 21 ONLY: WITHOUT PENDING AMENDMENT, presents the relevant claims without the amendment. Upon decision of the petition, Appellant will submit a revised version of this Brief if requested to do so.

V   SUMMARY OF INVENTION (37 C.F.R. 1.192(c)(5))

Appellants' invention comprises apparatus, method, and article of manufacture for providing a user interface. A primary, but not exclusive, use of the invention is to provide user interfaces with "internationalization," i.e., human language-specific content. For example, a user interface construction method **10** (FIG. 1) may provide a web based user interface (WUI **18**) (FIG. 3) in a particular human language. A user of the WUI **18** is able, at run-time using their browser **14**, to select a desired language and the interface construction method **10**, running in either a server **12** or at the browser **14**, provides the WUI **18** with content in the specific language that has been selected.

FIG. 2 depicts an embodiment wherein relevant portions of a server **12** and a browser **14** are connected via the Internet **16**. The server **12** here includes one or more templates **22**, typically encoded in hypertext mark-up language (HTML). The templates **22** have one or more variables **51** for replacement with language-specific data. The data that is used for this replacement is stored in language-specific resource/data files. In this exemplary embodiment, the human language-specific data is present in HTML ResourceBundles **24**; the HTML ResourceBundles **24** are contained within Java ResourceBundles **28**; and the Java ResourceBundles **28** are contained within JAR files **26**. A JAR file is a conventional Java file type, and the Java ResourceBundles are generally also conventional in structure. The HTML ResourceBundles **24** are not conventional, however, since they store human language-specific data (see e.g., element **24a** and **24b** in FIG. 2).

The data in the HTML ResourceBundles **24** includes idiomatically-correct predefined passages of text in different languages in respective JAR files **26**. This allows for simple data substitution into the replacement variables, rather than translation. Since the text data is already idiomatically-correct, i.e., the product of an accurate translation, presumably by a human or at least having been humanly reviewed, a user interface according to the invention can be particularly accurate and appealing to a user. Additionally, since the text data is predefined, i.e., the product of previous translation elsewhere, constructing and providing of the user interface can be particularly efficient. Notably, since translation has already occurred and the result has been stored, and since the nature of user interfaces is such that they are used multiple times by the same or different people, the predefined text data is reusable and this enhances efficiency.

Furthermore, since the text data is already language-grouped in the resource/data files, the overall process of providing a user interface in any of many different human languages is reduced to selecting an appropriate file from among a plurality of files (e.g., by providing a language code **44**).

5   Typically the construction of the WUI **18** will occur in the server **12**, and the result will be provided to the user's browser **14**. That is not a requirement, however, and templates **22** and JAR files **26** may instead be sent to and used at the user's browser **14** to construct the WUI **18** there. FIG. 2 depicts both options.

Since a user typically looks at multiple "pages" in the course of using a user interface,

10   multiple templates can be employed, if needed or desired. Often only one resource/data file will be adequate for same-language use of a large number of templates, but multiple resource/data files can also be used, if needed or desired.

The invention is not limited to mere selection among different human languages. For example, the replacement data used may be short passages in one resource/data file and longer

15   passages in another resource/data file, with user selection dictating whether the user interface is presented in terse or verbose form.

Concluding, while the present invention can be loosely referred to as "translation," that is missdescriptive. The invention uses the product of prior translation for substitution into a template. The odious, subjective, and error prone task of translation is minimized, and potentially

20   closely humanly controlled or reviewed before use by the invention. The invention then employs such prior work, using it for computerized substitution in an inherently rapid, objective, and accurate manner.

VI ISSUES (37 C.F.R. 1.192(c)(6))

A. Whether claims 3-16 and 18-22 are vague and indefinite, and thereby unpatentable under 35 U.S.C. 112, second paragraph.

B. Whether claims 3, 5-6, and 21-22 are obvious over Motoyama, U.S. Pat. No. 6,208,956, and thereby unpatentable under 35 U.S.C. 103(a).

C. Whether claims 4 and 7-8 are obvious over Motoyama, U.S. Pat. No. 6,208,956 in view of Levy, U.S. Pat. No. 5,944,790, and thereby unpatentable under 35 U.S.C. 103(a).

D. Whether claims 9-10 are over Motoyama, U.S. Pat. No. 6,208,956 in view of BERG, How Do I Write An International Application, and thereby unpatentable under 35 U.S.C. 103(a).

E. Whether claims 11, 16, and 18-20 are obvious over Motoyama, U.S. Pat. No. 6,208,956 in view of Fukumochi et al., U.S. Pat. No. 5,644,774, and thereby unpatentable under 35 U.S.C. 103(a).

F. Whether claims 12-13 over Motoyama, U.S. Pat. No. 6,208,956 in view of Fukumochi et al., U.S. Pat. No. 5,644,774 and further in view of BERG, How Do I Write An International Application, and thereby unpatentable under 35 U.S.C. 103(a).

G. Whether claims 14-15 are obvious over Motoyama, U.S. Pat. No. 6,208,956 in view of Fukumochi et al., U.S. Pat. No. 5,644,774 and further in view of Levy, U.S. Pat. No. 5,944,790, and thereby unpatentable under 35 U.S.C. 103(a).

VII   GROUPING OF CLAIMS (37 C.F.R. 1.192(c)(7))

The grouping of the claims for purposes of this appeal is:

A.   Claims 3-16 and 18-22.

B.   Claims 4 and 7-8.

C.   Claims 9-10.

D.   Claims 11, 16, and 18-20.

E.   Claims 12-13.

F.   Claims 14-15.

VIII   ARGUMENTS (37 C.F.R. 1.192(c)(8))

A.   THE CLAIMS ARE NOT VAGUE AND INDEFINITE: THE WORD "UNAMBIGUOUSLY" IS NOT AMBIGUOUS

Claims 3-16 and 18-22 (Groups A-F, consisting of all of the claims in the case) have been rejected under §112, ¶2. This is presently the subject of a petition, as noted in Section IV, above, and hopefully will be rendered moot soon. In the event the petition is decided against Appellant, we include the following.

As background, in response to verbal discussions with the Examiner wherein he essentially stated 'I see the point you are trying to make but I do not feel the language of the claims clearly reflects that,' and when the Examiner declined repeated invitations to suggest language of his own that he would accept as expressing the point, Appellant amended the claims to read as they appear in Section IX. The word "unambiguously" was used in each independent claim to emphasis that data from a dictionary, having many differing, ambiguous definitions is not the type of data used by the claimed invention.

In finding that "*'unambiguously' is a subjective word*" the Examiner essentially held the word "unambiguously" to be ambiguous. As reference to virtually any dictionary shows, this is nonsensical. For example, Webster's II, New Riverside University Dictionary, 1984, Houghton Mifflin Company (copies of relevant part enclosed in Section XI), defines "ambiguous" as "*1. Liable to more than one interpretation. 2. Uncertain or indefinite.*" Accordingly, something unambiguous is something liable to only one interpretation and also something that is certain and definite.

Respectfully, there is lot more to this, with the record reflecting the Examiner's refusal to accept or propose any terminology as acceptable thus has wrongfully used procedural means to stall substantive prosecution in this case. Appellant is comfortable with either version of the claims, using "unambiguously" or "always," and we simply plead that the Board deny effect to the Examiner's procedural ruse and now consider and decide the patentability of Appellant's claimed invention based on its substantive merits.

B.   THE CLAIMS ARE NOT OBVIOUS OVER MOTOYAMA

Claims 3, 5-6, and 21-22 have been rejected as unpatentable under 35 U.S.C. 103(a) over Motoyama, U.S. Pat. No. 6,208,956 (hereinafter Motoyama). The Examiner argues that Motoyama teaches HTML page translation using a resource dictionary database for replacing variables. The Examiner acknowledges that Motoyama does not teach said page as a template, but further argues that this would be obvious in view of Motoyama's teaching of the use of HTML with its known hierarchical tag structure. See e.g., the office action dated 10/22/2002.

As has long been established:

> To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. MPEP §2142

Appellant respectfully submits that the prima facie case for obviousness has not been met here because the rejection fails to meet all three of the above criteria.

1.   Motoyama Does Not Teach Or Reasonably Suggest All Of The Claim Limitations

Claims 3 and 5-6 are apparatus type claims, and claims 21-22 are article of manufacture type claims. These claims all include the limitations:

► of a template having a replacement variable (quoting claims 3 and 21);

► of a plurality of resource files containing data for selectively replacing the replacement variable with data from one of the resource files (paraphrasing claims 3 and 21); and

► of each of resource files containing an idiomatically-correct predefined passage of text in a different language such that the replacement variable is replaced with a respective passage of text governed by selection of a particular resource file (paraphrasing claims 3 and 21).

Motoyama fails to teach or reasonably suggest these limitations.

The Examiner has acknowledged that Motoyama does not teach a template, yet he feels its use of HTML with a hierarchical tag structure "suggests" a "template structure." One reason this rationale is flawed is because any connection between templates and HTML is merely coincidental. Many templates have nothing to do with HTML, and little use of HTML has anything to do with templates in the present context. This is even more so for a hierarchical tag structure, since few templates use hierarchical structures. Upon seeing HTML or a hierarchical tag structure used, a person of ordinary skill in the art would have no reason to think of a template such as that of the claimed invention.

In view of the preceding, Motoyama particularly fails to teach or reasonably suggest a template having a replacement variable. Motoyama has been cited at col. 5, ln. 41-46 as teaching a replacement variable, but what it actually states there is that "[i]*t is not critical that every tag or data be translated ....*" This cannot be reconciled with replacing variables in the context of the claimed invention, where replacing is not equivocal and always occurs. [As background, please note that the claimed invention does not make a decision whether to replace, or a decision what to replace with. Translation, such as that taught by Motoyama, inherently requires one or both of these decisions.]

Similarly, Motoyama fails to teach or reasonably suggest a plurality of resource files containing data for selective variable replacement. Motoyama has been cited at col. 6, ln. 41-55 as supporting this, but what is actually taught there is the use of dictionaries and rule databases that are not reconcilable with files of data for un-equivocal replacement. As is well known, dictionaries include multiple definitions for most words. In the context of Motoyama, this is the very reason it teaches the use of dictionaries and rule databases, i.e., to select a most proper definition (an idiomatically-correct one) based upon one or more rules.

Motoyama further fails to teach or reasonably suggest each resource file containing an already idiomatically-correct, predefined passage of text in a different language, such that the replacement variable is replaced with a respective such passage governed by selection of a particular resource file. But let us again consider the alternative. As just noted, dictionaries include multiple definitions for most words. As a simple matter of logic, no single such definition from among a plurality can be predefined to be the idiomatically-correct one for a given situation.

Interestingly, in rejecting claim 11, discussed below, the office action dated 10/22/2002 states: *"Motoyama does not specifically teach resource files including idiomatically-correct predefined text passages."* However, claims 3, 5-6, and 21-22 all include this element/limitation which the Examiner has himself acknowledged is not taught by the sole reference being used to justify the rejection here.

Accordingly, Motoyama does not teach any of the noted elements in claims 3 and 21 and a prima facie case for obviousness has not been established.

2.   No Suggestion Or Motivation To Modify Or Combine Motoyama Has Been Established

As regards combination, the Examiner has seen fit to combine Motoyama only with his personal conjecture that HTML and hierarchical tags suggest a template, and to compound this with misinterpretations of what Motoyama does teach. The only suggestion anywhere in the record able to support modifying Motoyama to read on the claimed invention is in applicant's own disclosure, not in any prior art of record.

As regards modifying Motoyama, even assuming that it does teach the elements of the present invention in isolation, a prima facie case for obviousness would still not obtain because the references do not suggest the combination as set forth in the claims.

MPEP 2143.01 provides the guidance:

> *If a proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. In re Gordon, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984).*

Motoyama teaches the use of dictionaries, and rule databases to employ the contents of those dictionaries. Firstly, the claimed invention does not include a dictionary, wherein the nature of such is that at least some entries have multiple definitions. If Motoyama were to use the claimed invention's resource files containing direct replacement data, it would clearly fail at its stated goal of translation. Secondly, the claimed invention does not include any element analogous to Motoyama's rule databases. However, to not use the rule databases would render Motoyama either inoperable or unsuitable. Without its rule databases it would have no way to pick among its multiple dictionary definitions.

MPEP 2143.01 also provides the guidance:

> *If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims prima facie obvious. In re Ratti, 270 F.2d 810, 123 USPQ 349 (CCPA 1959).*

The principle of operation of Motoyama is rule-based selection of a proper word or phrase, to achieve dynamic computerized translation. In contrast, the principle of operation of the claimed invention is direct variable replacement with idiomatically-correct predefined text, to optimally employ static, existing translation that may have been performed by any means (e.g., human or computerized).

3.　No Reasonable Expectation Of Success Exists

Motoyama teaches an improved from of computer translation, whereas the claimed invention employs the product of a prior translation. We need to look no further than the U.S. Patent and Trademark Office's own needs and what is available in the marketplace to see why Motoyama would fail to succeed at the task of the claimed invention. Translation is notoriously difficult, due to the subjective decisions it inherently requires. The Office appropriately does not rely on computer translations as being accurate. [NB: computer translations may be useful as a starting point, but that is not relevant here.] Accordingly, just as the criteria for success in translating technical materials is not met by computer translation, many users of the claimed invention would not regard Motoyama's computer translation as providing an idiomatically correct user interface. Furthermore, computer translation is notoriously resource consuming, whereas computer substitution is trivially resource consuming.

C.　THE CLAIMS ARE NOT OBVIOUS OVER MOTOYAMA AND LEVY

Claims 4 and 7-8 have been rejected as unpatentable under 35 U.S.C. 103(a) over Motoyama in view of Levy, U.S. Pat. No. 5,944,790 (hereinafter Levy). The Examiner has acknowledged that Motoyama does not teach a language code, but has further argued that this would be obvious in view of Levy teaching a country code, and a server accepting a request along with this country code for processing a web page.

Appellant respectfully submits that the prima facie case for obviousness has also not been met here, because the rejection fails on all three of the criteria for obviousness.

1. Motoyama And Levy Do Not Teach Or Reasonably Suggest All Of The Claim Limitations

Claims 4 and 7-8 are all dependant on claim 3, and we have shown above that Motoyama does not teach three of the elements/limitations of claim 3. The Examiner has never argued that Levy teaches or reasonably suggests those three of the elements/limitations of claim 3. Accordingly, no combination of Motoyama and Levy can teach or reasonably suggest the elements/limitations needed to support this rejection.

2. No Suggestion Or Motivation To Modify Or Combine Motoyama And Levy Has Been Established

Levy teaches the outright substitution of complete predefined pages when a different language is desired. This storing of static pages cannot be combined with Motoyama's dynamic translation to construct an end result. Such a modification would clearly change the principles of the operation of the prior art being combined. To employ the teachings of Levy to store already translated pages would change Motoyama away from a translation tool entirely. Similarly, employing the teachings of Motoyama to translate a page, on the fly so to speak, would remove from Levy the very reason it uses complete pre-constructed pages (plural). Levy and Motoyama solve largely the same problem -- but in essentially opposite ways.

3. No Reasonable Expectation Of Success Exists

As has been described, Motoyama teaches constructing a result by translation, whereas the claimed invention constructs a result by variable replacement. The inability of Motoyama to successfully substitute for the invention in parent claim 3 has already been discussed, and Levy does not rectify this. Levy teaches the substitution of already complete pages when a different language is desired, and thus teaches away from Applicant's more efficient template/variable

replacement scheme. In fact, storing pluralities of complete pages in pluralities of languages is a key problem that Applicant's invention overcomes.

D.   THE CLAIMS ARE NOT OBVIOUS OVER MOTOYAMA IN VIEW OF BERG

Claims 9-10 have been rejected as unpatentable under 35 U.S.C. 103(a) over Motoyama in view of BERG, How Do I Write An International Application (hereinafter Berg). These claims dependant on claim 3, and we have shown above that Motoyama does not teach three of the elements/limitations of claim 3. The Examiner has never argued that Berg teaches or reasonably suggests those three of the elements/limitations of claim 3. Accordingly, no combination of Motoyama and Levy can teach or reasonably suggest the elements/limitations needed to support this rejection.

Furthermore, the last action to address these claims states: "*It would have been obvious to ... to apply Berg to Motoyama, because of Berg's taught advantage of JAR files and resource bundles, providing Motoyama with a way to utilize the advantages of said files for its dictionaries.*" However, as discussed above, Motoyama's dictionaries are not equivalent to Applicant's data files, and any speculated advantages that might be provided by those are not relevant. The Examiner has failed to look beyond the use of JAR files, which the present application concedes is prior art, and look to the content of the JAR files here. Appellant respectfully submits that the prima facie case for obviousness has again not been met.

E.   THE CLAIMS ARE NOT OBVIOUS OVER MOTOYAMA AND FUKUMOCHI

Claims 11, 16, and 18-20 have been rejected as unpatentable under 35 U.S.C. 103(a) over Motoyama in view of Fukumochi et al., U.S. Pat. No. 5,644,774 (hereinafter Fukumochi).

The Examiner has here argued that Motoyama teaches a HTML document translated using resource dictionary databases (data files) containing various translated words and phrases for replacing variables. The Examiner then acknowledges that Motoyama does not teach resource files including idiomatically-correct predefined text passages, but further argues that

this would be obvious in view of Fukumochi teaching a translation system using a dictionary containing idioms of a language as applied to translation from one language to another. The Examiner has also acknowledged that Motoyama does not specifically teach said HTML page as a template at a server, but has further argued that this would be obvious in view of Motoyama because of its teaching of HTML with a hierarchical structure suggesting a template structure. See e.g., the office action dated 10/22/2002.

Appellant respectfully submits that the prima facie case for obviousness has not been met here either, because the rejection fails to meet at least two of the criteria for obviousness.

1. Motoyama And Fukumochi Do Not Teach Or Reasonably Suggest All Of The Claim Limitations

Claim 11 (upon which claims 16 and 18-20 depend) includes the limitations:

> providing *an HTML template* to a server, said HTML template *including at least one variable;*
>
> providing *a plurality of data files* to the server, each ... *having therein a different language data portion* corresponding to said variable, the data portion *comprising idiomatically-correct predefined content;*
>
> selecting one of said plurality of data files; and ... (emphasis added)

However, Motoyama and Fukumochi fail to teach the underlined limitations.

The office action dated 10/22/2002 states "*Motoyama teaches a HTML document translated using resource dictionary databases (files) containing various translated words and phrases for replacing variables ....*" As discussed above, however, Motoyama's dictionary databases are not equivalent to Applicant's data files. Dictionaries often contain multiple definitions for the same word or phrase, and this must be so at least part of the time for Motoyama or it would not need its rules database to resolve which definition to use.

That office action continues: "*Motoyama does not specifically teach resource files including idiomatically-correct predefined text passages. However, Fukumochi teaches a translation system using a dictionary containing idioms of a language as applied to translation from one language to another ....*" However, Fukumochi is subject to the same argument that a dictionary is not equivalent to Applicant's data files. Fukumochi's dictionary "*containing idioms*

of a language", i.e., a particularly sophisticated type of dictionary, distinguishes the claimed invention even further here. In the claimed invention, the data used is already idiomatically correct, and picking the idiomatically correct definition from among many possible definitions is not necessary. The latter is what Fukumochi does (see e.g., col. 4, ln. 64 to col. 5, ln. 11 which discusses idioms plural and particularly how to handle split idioms using the same rules used for non-split idioms).

That office action continues: "*Motoyama does not specifically teach said HTML page as a template at a server. However, this limitation would have been obvious ..., in view of Motoyama, because the teaching of HTML, with its known hierarchical structure, clearly suggests a template structure, to which HTML pages must be uploaded and stored on a server for publication, providing Motoyama with the organizational advantage a hierarchical page provides (Motoyama column 4 lines 14-23; compare with claim 11 "providing an HTML template to a server, said HTML template including at least one variable"*). However, as discussed above with respect to claims 3, 5-6, and 21-22, Motoyama at col. 4, ln. 14-23 merely discusses formatting and distinguishing sections of a document, not delimiting such for replacement with definitions, passages of text, or data. Furthermore, as can be seen toward the end of the this quote, the Examiner is reading in far more as being obvious than the claimed invention even includes. This misreading of the actual claim content is a strong indication of the 'work backward from a conclusion' and 'employ 20/20 hindsight' approaches the Examiner has had to rely upon to justify the rejection here.

2.   No Reasonable Expectation Of Success Exists

Motoyama and Fukumochi teach improved forms of computer translation, whereas the claimed invention teaches employing the product of such (or other) translation. The Office's own experience shows that Motoyama and Fukumochi, individually or in combination, would fail at the task of the claimed invention. The claimed invention uses pre-existing translation, which may be ensured to be the most accurate translation possible. No combination of Motoyama and Fukumochi could ever purport to provide completely accurate translation of one human language into another. Furthermore, automated translation is highly resource consumptive, whereas automated substitution is not. When the timeliness to achieve a result, the complexity of the

system used to achieve such a result, or the economic viability of such a system to achieve such a result are considered, the claimed invention succeeds over Motoyama and Fukumochi.

F. THE CLAIMS ARE NOT OBVIOUS OVER MOTOYAMA IN VIEW OF FUKUMOCHI AND BERG

Claims 12-13 have been rejected under §103 as unpatentable over Motoyama in view of Fukumochi and Berg. However, a case for prima facie obviousness still has not been made.

Claims 12-13 are dependant on claim 11, and we have shown above that Motoyama and Fukumochi do not teach two of the elements/limitations of claim 11. The Examiner has never argued that Berg teaches or reasonably suggests those two elements/limitations.

Furthermore, the office action dated 10/22/2002 states *"It would have been obvious ... to apply Berg to Motoyama, because of Berg's taught advantage of JAR files and resource bundles, providing Motoyama with a way to utilize the advantages of said files for its dictionaries."* What has been mistaken here is that Motoyama's dictionaries are not equivalent to Applicant's data files (any speculated advantages provided by utilizing those are irrelevant, but again go to the Examiner's thought process). The argument above is merely that Berg teaches the use of dictionaries, not a way that they become or suggest data files according to the claimed invention.

G. THE CLAIMS ARE NOT OBVIOUS OVER MOTOYAMA, FUKUMOCHI, AND LEVY

Claims 14-15 have been rejected as unpatentable under 35 U.S.C. 103(a) over Motoyama in view of Fukumochi and Levy. Respectfully, Appellant here as well submits that the prima facie case for obviousness has not been met because the rejection fails on all three of the criteria for obviousness.

Claims 14-15 are dependant on claim 11, and we have shown above that Motoyama and Fukumochi do not teach two of the elements/limitations of claim 11. The Examiner has never argued that Levy teaches or reasonably suggests those two elements/limitations. Accordingly, no combination of Motoyama, Fukumochi, and Levy can teach or reasonably suggest the elements/limitations needed to support this rejection.

The office action of 10/22/2002 states:

> *Levy teaches a country code, which is indicative of a particular language .... It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Levy to Motoyama, because of Levy's taught advantage of country codes, providing Motoyama with a way to process a particular language. ... Levy teaches a server accepting a web request along with a country code for processing of said web page .... It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Levy to Motoyama, because of Levy's taught advantage of server side processing, providing Motoyama with a way to process a particular language freeing up client resources.*

As discussed above, Levy and Motoyama solve essentially the same problem in essentially opposite ways, and thus cannot be properly combined. Levy would have no use for the dictionaries and rules databases of Motoyama. Similarly, Motoyama would have no use for stored pluralities of complete pages. Thus, no appropriate suggestion or motivation to combine the references is possible. The proposed combination would change the principles of operation (impermissibly so; see e.g., In re Ratti, 270 F.2d 810, 123 USPQ 349 (CCPA 1959) and MPEP 2143.01). The proposed combination of irreconcilable elements here would also render the result unsatisfactory for its intended purpose (impermissibly so as well; see e.g., In re Gordon, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984) and MPEP 2143.01). The proposed combination also fails to consider the references as a whole (again, impermissibly; see e.g., MPEP 2141, 2142.02). Accordingly, for the reasons just stated, there would be no reasonable expectation of success in the combination.

H. SUMMARY

As has been shown herein, the Examiner has erred by finding vagueness and indefiniteness where none exists, and by finding a case for obviousness where none can be properly made. We respectfully ask the Board to reverse the Examiner and to now permit passage to issue of claims 3-16 and 18-22 (Groups A-F, consisting of all of the claims in the case).

IX   APPENDIX OF CLAIMS INVOLVED IN THE APPEAL (37 C.F.R. 1.192(c)(9))

(INCLUDING AMENDMENT PENDING PETITION)

1. (Cancelled)

5

2. (Cancelled)

3. A user interface, comprising:

a markup-language encoded template having a replacement variable within; and

10   a plurality of resource files containing data for replacing said replacement variable, said

replacement variable being selectively replaced by data from a selected one of said resource

files, each of the plurality of said resource files containing an idiomatically-correct predefined

passage of text in a different language such that said replacement variable will always be

replaced with a respective said passage of text governed by the selection of a particular one of

15   said resource files.

4. The user interface of claim 3, wherein:

said particular one of said resource files is selected according to a language code.

20   5. The user interface of claim 3, wherein:

said resource file is an HTML ResourceBundle.

6. The user interface of claim 5, wherein:

said HTML ResourceBundle is alike in format to a conventional Java ResourceBundle.

25

7. The user interface of claim 3, wherein:

a constructed markup-language code is built at a server by combining said markup-

language encoded template and data from said resource file.

8. The user interface of claim 7, wherein:

the server builds the constructed markup-language code by substituting said replacement variable with data from said resource file.

9. The user interface of claim 3, and further including:

Java code within said markup-language template; and

a JAR file containing a Java ResourceBundle.

10. The user interface of claim 3, and further including:

a plurality of said resource files such that said replacement variable is selectively replaced by data from a selected one of said resource files to produce a constructed markup-language code page;

Java code within said markup-language template; and

a JAR file containing a Java ResourceBundle; wherein

the constructed markup-language code page and the JAR file are transmitted to a browser.

11. A method for constructing a web based user interface, comprising:

providing an HTML template to a server, said HTML template including at least one variable;

providing a plurality of data files to the server, each of said data files having therein a different language data portion corresponding to said variable, the data portion comprising idiomatically-correct predefined content;

selecting one of said plurality of data files; and

constructing an HTML encoded user interface file by always substituting the same data portion from the selected one of said plurality of data files into said HTML template to replace said variable.

12. The method of claim 11, wherein:

said HTML template includes Java code; and

a plurality of Java ResourceBundles are provided such that when said Java code executes then data from a selected one of said Java ResourceBundles is provided in a Java Applet in the web based user interface.

5   13. The method of claim 12, wherein:

the plurality of Java ResourceBundles are combined into a JAR file and transmitted from the server to a browser along with said HTML encoded interface.

14. The method of claim 11, wherein:

10   a language code is sent from a browser to the server; and

the one of said plurality of data files is selected according to the language code.

15. The method of claim 14, wherein:

the language code is selected to indicate a particular language such that the one of said

15   plurality of data files is selected according to the language desired.

16. The method of claim 11, wherein:

each of the plurality of data files is in the form of a ResourceBundle.

20   17. (Cancelled)

18. The method of claim 11, wherein:

each of the plurality of data files contains data arranged in key/value combinations such that the key is identical to said variable and the value is the data to be substituted for the variable.

25

19. The method of claim 18, wherein:

the key/value pair is delineated by curly brackets; and the key is separated from the value by a comma.

30   20. The method of claim 11, wherein:

said variable is delineated within said HTML template by pound signs.

21. A computer program product comprising a computer usable medium having a computer readable code embodied thereon configured to operate on a computer, comprising:

a markup-language encoded template having a replacement variable within; and

a plurality of resource files containing data for replacing said replacement variable, said replacement variable being selectively replaced by data from a selected one of said resource files, each of the plurality of said resource files containing an idiomatically-correct predefined passage of text in a different language such that said replacement variable will always be replaced with a respective said passage of text governed by the selection of a particular one of said resource files.

22. The computer program product of claim 21, wherein:

said resource files are HTML ResourceBundles that each contain alternative data to be selectively substituted for said variables.

23. (Cancelled)

24. (Cancelled)

X   APPENDIX OF CLAIMS INVOLVED IN THE APPEAL (37 C.F.R. 1.192(c)(9))
(CLAIMS 3, 11, AND 21 ONLY, WITHOUT PENDING AMENDMENT)

3. A user interface, comprising:

a markup-language encoded template having a replacement variable within; and

a plurality of resource files containing data for replacing said replacement variable, said replacement variable being selectively replaced by data from a selected one of said resource files, each of the plurality of said resource files containing an idiomatically-correct predefined passage of text in a different language such that said replacement variable will be unambiguously replaced with a respective said passage of text governed by the selection of a particular one of said resource files.

11. A method for constructing a web based user interface, comprising:

providing an HTML template to a server, said HTML template including at least one variable;

providing a plurality of data files to the server, each of said data files having therein a different language data portion corresponding to said variable, the data portion comprising idiomatically-correct predefined content;

selecting one of said plurality of data files; and

constructing an HTML encoded user interface file by unambiguously substituting the data portion from the selected one of said plurality of data files into said HTML template to replace said variable.

21. A computer program product comprising a computer usable medium having a computer readable code embodied thereon configured to operate on a computer, comprising:

a markup-language encoded template having a replacement variable within; and

a plurality of resource files containing data for replacing said replacement variable, said replacement variable being selectively replaced by data from a selected one of said resource files, each of the plurality of said resource files containing an idiomatically-correct predefined passage of text in a different language such that said replacement variable will be unambiguously replaced with a respective said passage of text governed by the selection of a particular one of said resource files.

XI   APPENDIX OF OTHER MATERIALS THAT APPELLANT CONSIDERS NECESSARY OR DESIRABLE APPENDIX OF CLAIMS INVOLVED IN THE APPEAL (37 C.F.R. 1.192(c)(9))

5   In support of an assertion made in Section VIII.A, provided herewith is:

        A.   Copies of relevant part (3 pages) from: Webster's II, New Riverside University Dictionary, 1984, Houghton Mifflin Company
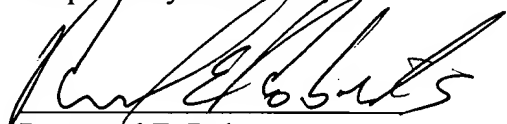
10   _*_

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Customer No. 32112

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(left margin partial column — fragments)

u can *always* leave if you're

, genus name < Gk. *clusson*,
lussa, rabies] **1.** A plant of
w or white flower clusters

, āls'-) *n.* [After Alois Alz-
-ical disorder marked by pro-
-atrophy.

< OE *eom*] 1st person sing.

ort. *ama*, nurse < Med. Lat
a wet nurse.
-gly and intensely. **2.** Speedily

t') *n.* [Heb. *Amālēq*, after
cient nomadic tribe thought
Amalek.

Fr. *amalgame* < Med. Lat
-soft mass.] **1.** Any of various
with tin or silver. **2.** A combi-

nat·ed, -mat·ing, -mate
: whole : BLEND. **2.** To mix or
o mix, unite, or consolidate
-al. **—a·mal'ga·ma'tive** *adj.*

a) *n.* **1.** The act of amalgam-
2. A consolidation, as of se-
metal in mercury to form a

. [Fr. < *amande*, almond <
or garnished with almonds
. *Amenia*, genus name < Gk
, highly toxic mushrooms of

-iteration of E. *Adamantane*,
-ie, C₁₀H₁₅N·HCl, also used in

, *pl.* **-ses** (-sēz') [Lat. *amara-*
-ove) at handwriting.] A secre-
-y manuscript.

Amaranthus, genus name, al
rantos, unfading : *a-*, not +
-nt of the genus *Amaranthus*
-er clusters. **2.** An imaginary
-cep reddish purple to dark or
-purple azo dye.

n') *adj.* **1.** Of, relating to, or
: UNFADING. **3.** Deep purple
at. *amarellum* < Lat. *amarus*
-ale red fruit.

. of *amaro*, bitter < Lat. *ama*

maryllis, genus name < Lat.
-s.] **1.** A bulbous plant, *Am-*
Africa, bearing large lilylik-
-eral similar or related plants
for a shepherdess in classical

-nass·ing, a·mass·es. [OFr.
-mass.] **1.** To gather or pile up:
-rofit or pleasure. **—a·mass'r**
-at *n.*

-char, -tyoor') *n.* [Fr. < La
-e who engages in an art, sci-
-stume rather than as a profe-
-ticipated in competition for
-professional skill or ease in i-
-ating to, or performed by n
Unskillful or inexperienced

. NONPROFESSIONAL *n.* con
and ease in a given activity
-' *amateurs*> AMATEUR as
-one who engages in an a-
-ney <golfers who are am-
-ads>, whereas DILETTANT-
-rity is merely superficial <a
-fessional
-, -tyoor'-) *adj.* Typical of a
-n a·teur'ish·ness *n.*

(left margin bottom fragment)
ei ē be　hw **which** i p
w for oi noise ōo too

A·ma·ti (ä-mä'tē) *n.* A violin made by Nicolò Amati or the members of his family.

am·a·tive (ăm'ə-tiv) *adj.* [Lat. *amare*, *amat-*, to love + -IVE.] Amatory. **—am'a·tive·ly** *adv.* **—am'a·tive·ness** *n.*

am·a·tol (ăm'ə-tôl', -tŏl') *n.* [< AM(MONIUM) : (TRINITRO)TOL(U-ENE).] A highly explosive mixture of ammonium nitrate and trinitrotoluene.

am·a·to·ry (ăm'ə-tôr'ē, -tōr'ē) *adj.* [Lat. *amatorius* < *amator*, lover < *amare*, to love.] Of, concerning, or promoting love, esp. sexual love.

am·au·ro·sis (ăm'ô-rō'sĭs) *n.* [Gk. *amaurōsis* < *amauros*, dark.] Total loss of vision : BLINDNESS. **—am'au·rot'ic** (-rŏt'ĭk) *adj.*

a·maze (ə-māz') *vt.* **a·mazed, a·maz·ing, a·maz·es.** [ME *amasen* < OE *āmasian*, to confound.] **1.** To affect with surprise or great wonder : ASTONISH. **2.** *Obs.* To bewilder. **—n.** *Archaic.* Wonder. **—a·maz·ed·ly** (ə-mā'zĭd-lē) *adv.* **—a·maz'ed·ness** (-nĭs) *n.*

a·maze·ment (ə-māz'mənt) *n.* **1.** A state of extreme surprise or wonder : ASTONISHMENT. **2.** *Obs.* Bewilderment : perplexity.

Am·a·zon (ăm'ə-zŏn', -zən) *n.* [ME < Lat. *Amazon* < Gk *Amazōn*.] **1.** *Gk. Myth.* A member of a nation of female warriors alleged to have lived in Scythia near the Black Sea. **2.** *often* **amazon.** A tall, vigorous, strong-willed woman.

▪ **A word history:** The Greeks themselves devised what is probably a folk etymology for *Amazon.* According to Greek legends the Amazons cut off their right breasts to be able to use a bow more easily. The word thus appears to be formed in Greek of the prefix *a-*, "not," and *mazos*, "breast," in reference to the Amazons' mutilated condition. This explanation, however, is probably not the correct one. It is more likely that the word *Amazon* is a Greek spelling of a non-Greek tribal name.

Am·a·zo·ni·an (ăm'ə-zō'nē-ən) *adj.* **1.** Typical of or like an Amazon. **2.** *often* **amazonian.** Vigorous and strong-willed. —Used of women.

am·a·zon·ite (ăm'ə-zə-nīt') *n.* [After the *Amazon* River.] A green variety of microcline, often used as a semiprecious gemstone.

amazon stone *n.* Amazonite.

am·bage (ăm'bĭj) *n.* [Back-formation < ME *ambages*, equivocation < Lat *ambages* : *ambi-*, around + *agere*, to drive.] *Archaic.* **1.** A circuitous pathway. **2.** *often* **ambages.** Roundabout ways. **—am·ba'gious** (ăm-bā'jəs) *adj.*

am·bas·sa·dor (ăm-băs'ə-dər, -dôr') *n.* [ME *ambassadour* < OFr. *ambassadeur* < Med. Lat. *ambactia*, mission, of Germanic orig.] **1.** A diplomatic official of the highest rank appointed and accredited as representative in residence by one government to another. **2.** Any of various diplomatic officials of the highest rank <an *ambassador* at large> **3.** A diplomatic official heading a country's permanent mission to an international organization, as the United Nations. **4. a.** An authorized representative or messenger. **b.** An unofficial representative <an *ambassador* of good will> **—am·bas'sa·do'ri·al** (-dôr'ē-əl, -dōr'-) *adj.* **—am·bas'sa·dor·ship'** *n.*

am·ber (ăm'bər) *n.* [ME *ambre* < OFr. < Med. Lat. *ambra* < Ar. *ambar*, ambergris.] **1.** A hard, translucent, yellow, orange, or brownish-yellow fossil resin, used for making ornamental objects, esp. jewelry. **2.** A brownish yellow. **—adj.** Brownish yellow.

am·ber·gris (ăm'bər-gris', -grēs') *n.* [ME < OFr. *ambre gris* : *ambre*, amber + *gris*, gray.] A waxy, grayish substance formed in the intestines of sperm whales and found floating at sea or washed ashore, used in perfumery as a fixative.

am·ber·jack (ăm'bər-jăk') *n.,* *pl.* **amberjack** or **-jacks.** A food and game fish of the genus *Seriola*, of temperate and tropical marine waters.

ambi- *pref.* [Lat., around.] Both <*ambiversion*>

am·bi·ance *also* **am·bi·ence** (ăm'bē-əns, äN-byäNs') *n.* [Fr. < *ambiant*, surrounding < Lat. *ambiens*.—see AMBIENT.] The distinctive atmosphere surrounding or suffusing a person, place, or thing.

am·bi·dex·ter·i·ty (ăm'bĭ-dĕk-stĕr'ĭ-tē) *n.* **1.** The quality or state of being ambidextrous. **2.** Hypocrisy or deceit.

am·bi·dex·trous (ăm'bĭ-dĕk'strəs) *adj.* [ME *ambidexter*, double dealing < Med. Lat. : Lat. *ambi-*, on both sides + Lat. *dexter*, right-handed.] **1.** Capable of using both hands with equal facility. **2.** Exceptionally dexterous. **3.** Hypocritical or misleading. **—am·bi·dex'trous·ly** *adv.*

am·bi·ence (ăm'bē-əns, äN-byäNs') *n. var. of* AMBIANCE.

am·bi·ent (ăm'bē-ənt) *adj.* [Lat. *ambiens*, *ambient-*, pr.part. of *ambire*, to surround : *ambi-*, around + *ire*, to go.] Surrounding.

am·bi·gu·i·ty (ăm'bĭ-gyōō'ĭ-tē) *n.*, *pl.* **-ties. 1.** The quality or state of being ambiguous. **2.** Something ambiguous.

ambiguity error *n.* *Computer Sci.* A gross, usu. transient error in the readout of an electronic device that is caused by imprecise synchronism, as in analog-to-digital conversion.

am·big·u·ous (ăm-bĭg'yōō-əs) *adj.* [Lat. *ambiguus*, uncertain < *ambigere*, to go about : *ambi-*, around + *agere*, to drive.] **1.** Liable to more than one interpretation : EQUIVOCAL. **2.** Uncertain or indefinite <paper of an ambiguous hue >

☆ **syns:** AMBIGUOUS, CLOUDY, EQUIVOCAL, NEBULOUS, OBSCURE, SIBYLLINE, UNCERTAIN, UNCLEAR, UNEXPLICIT *adj core meaning* : liable to more than one interpretation <*ambiguous* wording> *ant:* clear, explicit

am·bi·po·lar (ăm'bĭ-pō'lər) *adj.* Applying equally to both positive ions and electrons in a plasma.

am·bit (ăm'bĭt) *n.* [Lat. *ambitus*, a going around < *ambire*, to go around. —see AMBIENT.] **1.** The external boundary : CIRCUIT. **2.** Scope or sphere : RANGE.

am·bi·tion (ăm-bĭsh'ən) *n.* [ME *ambicioun* < OFr. *ambition* < Lat. *ambitio* < *ambire*, to go around (for votes). —see AMBIENT.] **1. a.** An eager or strong desire to achieve something. **b.** The object or goal desired. **2.** A desire for exertion or activity : ENERGY <The heat killed my *ambition*. >

☆ **syns:** AMBITION, DRIVE, ENTERPRISE, INITIATIVE, PUSH *n. core meaning* : the wish, power, and ability to begin and follow through on a plan or task <young executives with *ambition*>

am·bi·tious (ăm-bĭsh'əs) *adj.* **1.** Full of, marked by, or prompted by ambition. **2.** Greatly desirous : EAGER. **3.** Requiring much effort : CHALLENGING. **—am·bi'tious·ly** *adv.* **—am·bi'tious·ness** *n.*

am·biv·a·lence (ăm-bĭv'ə-ləns) *n.* [G. *Ambivalenz* : Lat. *ambi-*, on both sides + Lat. *valens*, being strong < *valēre*, to be strong.] **1.** The existence of mutually conflicting emotions or thoughts about a person, object, or idea. **2.** Uncertainty as to what course to follow : INDECISION.

am·biv·a·lent (ăm-bĭv'ə-lənt) *adj.* Displaying ambivalence.

am·bi·ver·sion (ăm'bĭ-vûr'zhən, -shən) *n.* [AMBI- + (INTRO)VERSION or (EXTRO)VERSION.] A personality trait showing both introversion and extroversion. **—am'bi·vert'** (-vûrt') *n.*

am·ble (ăm'bəl) *vi.* **-bled, -bling, -bles.** [ME *amblen* < AN *aumbler* < Lat. *ambulare*, to walk.] **1.** To walk at a leisurely pace. **2.** To proceed smoothly by lifting first both legs on one side and then both on the other, as do horses. **—n. 1.** An ambling gait, esp. that of a horse. **2.** A leisurely pace : SAUNTER. **—am'bler** *n.*

am·bly·go·nite (ăm-blĭg'ə-nīt') *n.* [G. *Amblygonit* < Gk. *amblugōnios*, obtuse-angled : *amblus*, blunt + *gōnia*, angle.] A white or greenish mineral, (Li,Na)Al(PO₄)(F,OH), a source of lithium.

am·bly·o·pi·a (ăm'blē-ō'pē-ə) *n.* [Gk. *ambluōpia* < *ambluōpos*, dim-sighted : *amblus*, dim. + *ōps*, eye.] Dimness of vision without apparent physical defect or disease of the eye : LAZY EYE. **—am'bly·o'pic** (-ō'pĭk, -ŏp'ĭk) *adj.*

am·bo (ăm'bō) *n.,* *pl.* **am·bos** or **am·bo·nes** (ăm-bō'nēz) [Med. Lat. < Gk. *ambōn*, raised edge] One of the two pulpits or raised stands in early Christian churches from which parts of the liturgy were chanted or read.

am·boi·na (ăm-boi'nə) *n. var. of* AMBOYNA.

Am·boi·nese (ăm'boi-nēz', -nēs') *n.* The language of Amboina.

am·boy·na *also* **am·boi·na** (ăm-boi'nə) *n.* [After *Amboina*, an island in the Moluccas, Indonesia.] The curly-grained, reddish-brown wood of a tree, *Pterocarpus indicus* of southeastern Asia, used for decorative cabinetwork.

am·bro·sia (ăm-brō'zhə, -zhē-ə) *n.* [Lat. < Gk. < *ambrotos*, immortal, immortalizing : *a-*, not + *brotos*, mortal] **1.** *Gk. & Rom. Myth.* The food of the gods, reputed to impart immortality. **2.** Something with an esp. delightful flavor or fragrance.

am·bro·sial (ăm-brō'zhəl, -zhē-əl) *also* **am·bro·sian** (-zhən, -zhē-ən) *adj.* **1.** Fragrant or delicious. **2.** Of or worthy of the gods. **—am·bro'sial·ly** *adv.*

am·bro·type (ăm'brə-tīp') *n.* [Gk. *ambrotos*, immortal + TYPE.] An early type of photograph made by imaging a negative on glass backed by a dark surface.

am·bry (ăm'brē) *n.,* *pl.* **-bries.** [ME *aumenen*, place where alms are distributed < OFr. *aumonerie* < Lat. *armarium*, closet < *arma*, tools] **1.** A storeroom or cupboard : PANTRY. **2.** A niche near the altar in churches for keeping sacred vessels and vestments.

ambs·ace (ăm'zās') *n.* [ME *ambes as* < OFr. < Lat. *ambas as*, : *ambo*, both + *as*, unit.] **1.** Double aces, the lowest throw at dice. **2.** Bad luck : MISFORTUNE. **3.** Something insignificant or worthless.

am·bu·la·crum (ăm'byə-lā'krəm) *n.,* *pl.* **-cra** (-krə) [Lat., walk planted with trees < *ambulare*, to walk.] One of the five radial areas on the undersurface of an echinoderm, as a starfish, on which the tube feet are borne.

am·bu·lance (ăm'byə-ləns) *n.* [Fr. < (*hôpital*) *ambulant*, mobile (hospital) < Lat. *ambulans*, ambulant.] A vehicle equipped for transporting the sick or injured.

ambulance chaser *n.* *Slang.* **1.** A lawyer or a lawyer's agent who obtains clients by persuading accident victims to sue for damages. **2.** A lawyer avid for clients.

am·bu·lant (ăm'byə-lənt) *adj.* [Fr. < Lat. *ambulans*, pr.part. of *ambulare*, to walk.] Moving or walking about.

am·bu·late (ăm'byə-lāt') *vi.* **-lat·ed, -lat·ing, -lates.** [Lat. *ambulare*, *ambulat-*, to walk.] To walk or move about.

am·bu·la·to·ry (ăm'byə-lə-tôr'ē, -tōr'ē) *adj.* **1.** Of, relating to, or meant for walking. **2.** Capable of walking : not bedridden. **3.** Not stationary : moving about. **4.** *Law.* Capable of being changed or revoked, as a will during the lifetime of the testator. **—n.,** *pl.* **-ries.** A sheltered place for walking, as a cloister.